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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/667,611	09/22/2000	G. Victor Guyan	07752.0020	1864
28164	7590	06/16/2004	EXAMINER	
ACCENTURE CHICAGO 28164 BRINKS HOFER GILSON & LIONE P O BOX 10395 CHICAGO, IL 60610			FRENEL, VANEL	
			ART UNIT	PAPER NUMBER
			3626	

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/667,611

Applicant(s)

GUYAN ET AL.

Examiner

Vanel Frenel

Art Unit

3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 10.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

**Notice To Applicant**

1. This communication is in response to the Amendment filed 10/2/03. Claims 1, 15 and 29 have been amended. Claims 1-42 are pending.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rowse et al (2002/0072935) in view of Montagna et al (4,899,292).

(A) As per claim 1, Rowse discloses a method for capturing line item data, the method comprising steps performed by a data processing system (Page 7, Paragraphs 0094-0097), of:

receiving claim identification information from a claimant, said claim identification information comprising, at least, one line level (Page 6, Paragraphs 0086-0087);

storing the line item level data in an insurance host server (Page 3, Paragraphs 0043-0044).

Rowse does not explicitly disclose providing the client with an item tree of line item level data based on the line level and aggregating line item level data collected from the claimant.

Art Unit: 3626

However, this feature is known in the art, as evidenced by Montagna. In particular, Montagna suggests providing the client with an item tree of line item level data based on the line level and aggregating line item level data collected from the claimant (See Montagna, Col.5, lines 63-68 to Col.6, line 16; Col.13, lines 7-40).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Montagna within the system of Rowse with the motivation of providing a system for storing and retrieving document text, worksheets and associated data and graphics, which system automatically indexes a variety of graphics relating to a document and permits convenient and rapid selection and display of the associated graphics (See Montagna, Col.2, lines 48-52).

(B) As per claim 2, Rowse discloses the method wherein the step of receiving claim identification information, further includes the step of receiving a claim number from the claimant (Page 6, Paragraph 0078).

(C) As per claim 3, Rowse discloses the method wherein the step of receiving claim identification information, further includes the step of receiving a password from the claimant (Page 3, Paragraph 0043).

(D) As per claim 4, Rowse discloses the method wherein the step of receiving claim identification information, further includes the step of validating the password and claim number (Page 3, Paragraph 0043).

(E) As per claim 5, Rowse discloses the method wherein the step of receiving claim identification information, further includes the step of issuing a fraud warning (Page 3, Paragraph 0043).

(F) As per claim 6, Rowse discloses the method wherein the step of providing and aggregating comprises the step of downloading a spreadsheet to the claimant (Page 6, Paragraphs 0076-0080).

(G) As per claim 7, Rowse discloses the method wherein the step of providing and aggregating comprises the step of aggregating line item level data in the spreadsheet (Page 6, Paragraphs 0076-0080).

(H) As per claim 8, Rowse discloses the method wherein the step of providing and aggregating comprises the step of uploading the spreadsheet from the claimant (Page 6, Paragraphs 0076-0080).

(I) As per claim 9, Rowse discloses the method wherein the step of providing and aggregating comprises the step of displaying an item tree of line item data based on the line level (Page 7, Paragraphs 0093-0101).

Art Unit: 3626

(J) As per claim 10, Rowse discloses the method wherein the step of providing and aggregating comprises the step of tunneling through the item tree (Page 7, Paragraphs 0093-0101).

(K) As per claim 11, Rowse discloses the method wherein the step of providing and aggregating comprises the step of receiving a selection of a line item level data from the item tree (Page 7, Paragraphs 0093-0101).

(L) As per claim 12, Rowse discloses the method wherein the step of providing and aggregating comprises the step of updating a display of line items based on claimant's selected line items (Page 7, Paragraphs 0093-0101).

(M) As per claim 13, Rowse discloses the method further comprising the step of updating a display of aggregated line item level data from the insurance host server (Page 3, Paragraphs 0043-0044).

(N) As per claim 14, Rowse discloses the method further comprising the step of editing a listing of aggregated line item level data from the insurance host server (Page 3, Paragraphs 0043-0044).

(O) As per claim 15, Rowse discloses a system for capturing line item data (Page 7, Paragraphs 0094-0097), comprising:

Art Unit: 3626

a processor for executing programs (Page 3, Paragraphs 0043-0044);

and a memory for storing a program executable by the processor, the stored program including instructions for (i) receiving claim identification information from a claimant, said claim identification information comprising, at least, one line level (Page 6, Paragraphs 0086-0087), and (iii) storing the line item level data in an insurance host server (Page 3, Paragraphs 0043-0044).

Rowse does not explicitly disclose providing the client with an item tree of line item level data based on the line level and aggregating line item level data collected from the claimant.

However, these features are known in the art, as evidenced by Montagna. In particular, Montagna suggests providing the client with an item tree of line item level data based on the line level and aggregating line item level data collected from the claimant (See Montagna, Col.5, lines 63-68 to Col.6, line 16; Col.13, lines 7-40).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Montagna within the system of Rowse with the motivation of providing a system for storing and retrieving document text, worksheets and associated data and graphics, which system automatically indexes a variety of graphics relating to a document and permits convenient and rapid selection and display of the associated graphics (See Montagna, Col.2, lines 48-52).

Art Unit: 3626

(P) Claim 29 differs from claims 1 and 15 by reciting a computer readable medium containing instructions for controlling a computer system to perform a method for capturing line item data, the method comprising:

As per this limitation Rowse discloses receiving claim identification information from a claimant, said claim identification information comprising, at least, one line level (Page 6, Paragraphs 0086-0087).

storing the line item level data in an insurance host server (Page 3, Paragraphs 0043-0044) and Montagna discloses providing the client with an item tree of line item level data based on the line level and aggregating line item level data collected from the claimant (See Montagna, Col.5, lines 63-68 to Col.6, line 16; Col.13, lines 7-40).

Thus, it is readily apparent that these prior art systems utilize a computer readable medium containing instructions for controlling to perform their specific function.

The remainder of claim 29 is rejected for the same reason given above for claims 1 and 15, and incorporated herein.

The motivation for combining the teachings of Rowse and Montagna is as given above in the rejection of claims 1 and 15 above, and incorporated herein.

(Q) Claims 16-42 recite the underlying process steps of the elements of claims 2-14, respectively. As the various elements of claims 2-14 and have been shown to be either disclosed by or obvious in view of the collective teachings of Rowse and Montagna, it is apparent that the apparatus disclosed by the applied prior art performs the recited



Art Unit: 3626

underlying functions. As such, the limitations recited in claims 16-42 are rejected for the same reasons given above for method claims 16-42, and incorporated herein.

***Response to Arguments***

6. Applicant's arguments filed 10/20/03 with respect to claims 1-42 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not applied art teaches automated claim processing and attorney referral and selection (2001/0041993), computerized system and method for work management (5,557,515) and system and method for utilizing a fully-integrated, on-line digital collectible award redemption and instant win program (2001/0034635).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 703-305-4952. The examiner can normally be reached on 6:30am-5:00pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 703-305-9588. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Art Unit: 3626

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

V.F  
V.F

May 31, 2004

  
JOSEPH THOMAS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600